

REMARKS

In this Amendment, Applicant has cancelled Claims 3 – 6 without prejudice or disclaimer, amended Claims 1 – 2 and added new Claims 7 – 11. Claims 1 – 2 have been amended to overcome the rejection and further specify the embodiments of the present invention. It is respectfully submitted that no new matter has been introduced by the amended and added claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 103:

Claims 1 and 6 have been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Yoshida et al. (JP 2-046442), hereinafter Yoshida, in view of Nakayama et al. (US 5,338,646), hereinafter Nakayama. Claim 2 has been rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Yoshida in view of Nakayama and further in view of Kobayashi (JP 10-143924A), hereinafter Kobayashi.

Applicant traverses the rejection and respectfully submits that the present-claimed invention is not anticipated by the cited reference. More specifically, Claim 6 has been cancelled without prejudice or disclaimer. Therefore, the rejection to Claim 6 is moot. In addition, Claims 1 and 2 have been amended to a more specified embodiment of the present invention. The major feature of the present invention, as amended in Claim 1, lies in the bonding layer that is made of ultraviolet-harden resin including at least one type of photochromic dye, to store second information on the bonding layer. The second information is visible through the second transparent substrate when the photochromic dye is colored by being exposed to light of a first specific wavelength different from a wavelength of the laser beam, the photochromic dye thus colored remaining unchanged against the laser beam, as disclosed on page 6, lines 18 – 29 of the specification.

Other new features of the present invention according to the newly added claims and the support in the specification are as follows.

The second information is erased when the photochromic dye is disclosed by being exposed to light of a second specific wavelength different from the first specific wavelength and the wavelength of the laser beam, as disclosed on page 14, lines 6 – 8 of the specification.

The second information that is visible through the second transparent substrate is graphic and/or character information, as disclosed on page 14, line 4 and shown in Figs. 16 to 18 of the specification.

The graphic and/or character information is formed through a mask, as disclosed on page 8, line 7 to page 10, line 2 or a file, as disclosed on page 27, lines 5 to 12 of the specification. The expression “file” is acceptable according to the disclosure on page 27, lines 5 to 12 of the specification and can be understood by a person of ordinary skill in the art.

The graphic and/or character information is formed by an exposure system including a laser that emits laser beam, at least one optical component situated along a light path of the laser beam, and a deflector to change a direction of the emitted laser beam, as disclosed on page 12, lines 4 though page 13, line 4 of the specification.

The ultraviolet-hardened resin includes a photochromic dye that is colored when exposed to light of s specific wavelength of blue light and another photochromic dye that is colored when exposed to light of a specific wavelength of red light, as disclosed on page 6, lines 15 – 17 of the specification.

Accordingly, the optical storage medium accordingly to the present invention has two information-recordable layer sections: the recording layer for storing first information as being reproducible with irradiation of a laser beam; and the bonding layer

for storing second information which is visible though the transparent substrate without respect to the laser beam.

Different from the present invention, in Yoshida, the recording layer 12 is a recordable and erasable recording layer with two kinds of light having different wavelength (e.g. two kinds of laser light). In addition, the adhesive layer 17 of Nakayama is a UV-curable-resin recording layer for optical memory devices.

However, Yoshida and Nakayama do not disclose nor teach a layer for storing information which is visible through a transparent substrate without respect to a laser beam, such as shown in Figs. 16 – 18 of the present invention.

Moreover, the optical storage medium according to the present invention can be applied to CDs, DVDs, etc., in which, for example, encoded data can be stored in the claimed recording layer as the claimed first information, and also, additional information which may be related to the encoded data can be stored in the claimed bonding layer as the claimed second information (graphic and/or character information (Claim 7), such as shown in Figs. 16 – 18), which can be erased (Claim 2) or rewritten when the encoded data is rewritten. Neither Yoshida nor Nakayama disclose or teach such advantages.

In summary, there is no motivation or reasonable and expectation of success to combine Yoshida and Nakayama or Kabayashi. Even if they are combined, they will not render the present claimed invention obvious. One of ordinary skill in the art would not discern the present invention as claimed at the time of its invention.

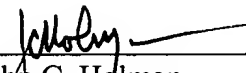
Therefore, the newly presented claims are not obvious over Yoshida and Nakayama or Kabayashi, and the rejection under 35 U.S.C. § 103 has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 103 is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

JACOBSON HOLMAN PLLC

Date: October 20, 2005
(202) 638-6666
400 Seventh Street, N.W.
Washington, D.C. 20004
Atty. Dkt. No.: P68946US0

By 
John C. Holman
Registration No. 22,769